

NOTICE OF INTENT TO FORECLOSE (Mortgage Loan Default)

This Notice is Required by Maryland Law (Real Property Article, §7-105.1(a), Annotated Code of Maryland).

You are at risk of losing the property described in this Notice to foreclosure. You are in default on your mortgage loan and if you do not pay what is owed, or otherwise cure your default, or enter into a loss mitigation agreement with us (such as a loan modification or other loss mitigation program) we may file a foreclosure action against the property upon the later of 45 days after we sent this notice to you or 90 days after your default.

You may be eligible for certain programs to avoid foreclosure, but you must submit the enclosed Loss Mitigation Application and required documents to your lender or servicer.

It is recommended that you seek housing counseling services. Call the Maryland HOPE Hotline at 1-877-462-7555 or go to www.MDHOPE.org for information on housing counseling.

Attached is a list of state and federal foreclosure-related resources available to help you. (Secured parties must include the list of nonprofit and government resources available at <http://www.MDHOPE.org/Library.aspx>)

Please follow the instructions that are outlined below.

Instructions

- ☐ Read this entire Notice carefully and act immediately.
- ☐ For more information about your loan status contact (insert name of an agent or employee of the secured party authorized to modify the terms of the mortgage loan. The agent or employee may be an individual or group of individuals or a department such as “loss mitigation department”) at (insert the telephone number of the agent or employee).
- ☐ Either: (i) pay the amount noted below that is required to reinstate your loan and/or otherwise cure your default in the manner identified below, **or** (ii) complete the enclosed Loss Mitigation Application according to its instructions.
- ☐ If you complete a Loss Mitigation Application:
 - Mail your completed Loss Mitigation Application to your lender or servicer in (or at the address on) the preprinted envelope provided **AS SOON AS POSSIBLE**.
 - Be sure to include copies of all required documentation.
- ☐ Keep for your records a copy of your Loss Mitigation Application and accompanying documents, your mail receipt confirmation, and your date of mailing.
- ☐ If you have already sent a loss mitigation request to your lender or servicer, please call your lender or servicer at the number above to confirm the status of your request.
- ☐ Beware of anyone offering to “save” your home or who seeks an upfront fee before providing assistance. Free resources are available at the Maryland HOPE Hotline at 1-877-462-7555 or go to www.MDHOPE.org.

The following is important information about your mortgage loan:

Date of Notice: _____

Address of Property Subject to This Notice: _____

Name of Borrower(s): _____

Mailing Address of Borrower(s): _____

Name of Record Owner (if different from Borrower(s)): _____

Mailing Address of Record Owner (if different from Borrower(s)): _____

Mortgage Loan Number (at least last four digits): _____

Lien Position (Indicate whether first or subordinate lien): _____

Date Most Recent Loan Payment Received: _____

Period to Which Most Recent Mortgage Loan Payment Was Applied: _____

Date of Default: _____

Total Amount Required to Cure Default as of the Date of this Notice: _____

(The person sending this notice may include a per-diem amount by which the amount required to cure the default continues to accrue, or any other formulation that takes into account such future increases.)

Name of Secured Party: _____

Telephone Number of Secured Party: _____

(If the secured party is a trust, real estate mortgage investment conduit (REMIC), or the like, the secured party may insert the telephone number of its authorized loan servicer.)

Name of Loan Servicer (if different from Secured Party): _____

Telephone Number of Loan Servicer (if applicable): _____

(Note type of default by inserting one or both of the following two default statements:

(1) Your mortgage loan payment is currently (insert number of days payment past due) past due and is in default.

(2) Your mortgage loan is in default because (insert type of default other than a past-due payment).

You can avoid foreclosure and cure the default by doing the following: (Insert the action required to cure the default and the date by which the action is required. Such an action, by way of example but not limitation, may be paying the amount of the loan in arrears plus any fees, penalties, or costs. A listing of the amount due to cure the default may include a per-diem amount by which the amount required to cure the default continues to accrue, or any other formulation that takes into account such future increases.)

To obtain the exact amount needed to bring your loan current and cure this default, please call us at the toll-free telephone number provided above. Send your full payment to us at this address: (insert address to which payments should be sent).

If you are unable to cure the default, please contact us immediately to discuss loan repayment options or other possible foreclosure avoidance options, or you may fill out the enclosed Loss Mitigation Application and send it to us along with the required documents in (or at the address on) the preprinted envelope provided.

IMPORTANT NOTE: If you do not bring your loan current and cure your default or negotiate a resolution with us, we may file a foreclosure action upon the later of 45 days after this Notice is sent or 90 days from the default date. After a foreclosure action is filed, the residential property may be sold.

Name of Mortgage Lender (if applicable): _____

Maryland Mortgage Lender License Number (if applicable): _____

Name of Mortgage Loan Originator (if applicable): _____

Maryland Mortgage Loan Originator License Number (if applicable): _____

cc: A copy of this Notice of Intent to Foreclose has been electronically filed with the Commissioner of Financial Regulation in accordance with the Code of Maryland Regulation 09.03.12.02.

Explanation of the Maryland Foreclosure Process and Time Line, Including Requests for Mediation, for Owner-Occupied First Mortgages:

The process leading up to a foreclosure of your home begins when you receive a “Notice of Intent to Foreclose” in the mail. Your home is not yet in foreclosure, but you should act immediately. You may avoid foreclosure by curing the default as described in the Notice. Alternatively, you may complete the Loss Mitigation Application you receive with the Notice of Intent to Foreclose and return it, together with all required documents, in (or to the address on) the envelope that was included.

A foreclosure may be filed in circuit court 45 days after the Notice of Intent to Foreclose was sent, or 90 days after your loan went into default, whichever is later. When a foreclosure action is filed against your property, you should be served with a packet of papers called an “Order to Docket” or “Complaint to Foreclose.”

Maryland law requires most lenders or their servicers to review your circumstances to see if you are eligible for a loan modification or other program that avoids foreclosure before your home can be sold at foreclosure. This review is called loss mitigation analysis.

If the loss mitigation analysis is completed before the “Order to Docket” or “Complaint to Foreclose” is filed and there is a document called a “Final Loss Mitigation Affidavit” in the packet that you receive, you should refer to Timeline # 1 below.

If the loss mitigation analysis is not completed before the “Order to Docket” or “Complaint to Foreclose” is filed, there will be a document called a “Preliminary Loss Mitigation Affidavit” in the packet and you should look at Timeline # 2 below.

Timeline # 1

Where the Order to Docket or Complaint to Foreclose includes the “Final Loss Mitigation Affidavit.”

(Times in this chart are for general information. The timing of specific events in an actual foreclosure action may vary as permitted by law.)

Day 1	Missed mortgage payment.
Day 45	Notice of Intent to Foreclose must be mailed by regular & certified mail.
Day 90	Order to Docket or Complaint to Foreclose filed in circuit court.
Day 105	Last day for homeowner to request foreclosure mediation.*
	* If foreclosure mediation is not requested by day 105, or if a motion to stay the sale has not been filed, the property may be sold on day 135 and the remainder of this timeline is inapplicable.
Day 110	If foreclosure mediation is requested, circuit court sends the request to the Maryland Office of Administrative Hearings by this day.
Day 170	If requested, foreclosure mediation must take place by this day unless postponement is requested.
Day 185	Foreclosure sale can be held unless a motion to stay the sale is filed.

Timeline #2

Where the Order to Docket or Complaint to Foreclose includes the “Preliminary Loss Mitigation Affidavit.” (Times in this chart are for general information. The timing of specific events in an actual foreclosure action may vary as permitted by law.)

Day 1	Missed mortgage payment.
Day 45	Notice of Intent to Foreclose mailed regular & certified mail.
Day 90	Order to Docket or Complaint to Foreclose filed in circuit court.
Day 118	"Final Loss Mitigation Affidavit" and form to request foreclosure mediation sent by regular & certified mail.
Day 133	Last day for homeowner to request foreclosure mediation.*
	* If foreclosure mediation is not requested by day 133, or if a motion to stay the sale has not been filed, the property may be sold on day 148 and the remainder of this time line is inapplicable.
Day 138	If foreclosure mediation is requested, the circuit court sends the request to the Maryland Office of Administrative Hearings by this day.
Day 198	If requested, foreclosure mediation must take place by this day unless postponement is requested.
Day 213	Foreclosure sale can be held unless a motion to stay the sale is filed.

Process Regarding Foreclosure Sale:

The foreclosure sale must be advertised for 3 consecutive weeks prior to sale.

After the sale, the circuit court is notified and orders a date for exceptions to the sale to be filed.

Within 30 days after the sale of residential property, the sale is ratified and title to the property is transferred to the new owner. The circuit court is notified and the auditor reviews the notice. If no exceptions are filed, the circuit court issues a final order of ratification.

Within 3 years from the date of the foreclosure is completed, your former lender or its servicer may file for a deficiency judgment against you personally for the loan balance plus all fees and costs of the foreclosure.

NOTE: For additional information on the mediation process and your options after mediation visit www.MDHOPE.org.